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June 6, 2005

VIA FACSIMILE

John M. Berns, Esq.
Merchant & Gould
3200 IDS Center
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Re: *Glaxo Group Limited v. Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Limited*, Civil Action No. 04-171-KAJ

Dear John:

I am writing following our telephone conversation on Friday June 3, 2005. Teva has still not produced several highly relevant categories of documents regarding the development of the generic formulation. Discovery in this case is being hampered by such non-production and these documents should be produced immediately.

Particularly important are documents relating to the development lots identified in the lab notebook for Project P-399, Bates Nos. T7714-7742. There are invariably testing reports, analyses, lab notebooks, studies, stability tests, and other records relating to each of these development lots. No such documents have been produced except for development lot 399-10. These documents should be produced immediately.

In addition, the "development report" for Novopharm's work has still not been produced. This document was referred to as late as September 2004 and clearly exists in Novopharm's files, if not Teva's. See, e.g., e-mail from Susan Lahtinen to Dereth Li, dated 09/09/04, at Bates No. T7268. At a minimum these two individuals should be contacted for a copy of this document. Likewise, this, or a similar document is also identified at Bates No. T6624-6632. Also, if there are reports for each formulation they should all be produced.

Another document that needs to be produced is the "Preformulation Information Package" identified at Bates No. T2596. There are over 20 people identified on that e-mail as having received a copy of that document. Each of them should be contacted, not only for that document, but also for any files relating to this litigation. If needed, the electronic records at Teva should also be searched. If this is the same document found at Bates No. T1993-2001 please notify us.

Furthermore, the index or table of contents pages for each lab notebook related to Teva's or Novopharm's ranitidine hydrochloride oral solution formulation should be produced. This would include lab notebooks from Teva, Novopharm, and any vendors that were used on the project, such as PPD Development.

Finally, there remain outstanding items from our letter to Judge Jordan dated February 22, 2005. These items include laboratory notebooks 1780, 1928, and 2033, batch records, stability data and experimental data for the ANDA batch and batches 3G-0431, 1853-005, 1853-015, 1853-017, and 3213PD. We are also still awaiting full production of Teva's and Novopharm's marketing and sales materials.

We have been asking for these documents for months and would like to receive them immediately. I look forward to your prompt response.

Very truly yours,

Thomas J. Puppa